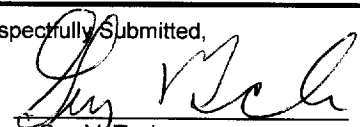


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re application of: Clark et al. Application No: 10/627,591 Confirmation No. 2973 Filed: July 25, 2003 Title: AEROSOLIZED ACTIVE AGENT DELIVERY | Group No: 3771 Examiner: Douglas, Steven O Attorney Docket No: 53229-US-CNT[2] (0029.10) May 13, 2009 San Francisco, CA 94107 |
|---|---|

| Mail Stop Appeal Briefs-Patents Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 Via EFS <input checked="" type="checkbox"/> Appeal Brief <input type="checkbox"/> Comments on Statement of Reasons for Allowance <input type="checkbox"/> Notice of Appeal (form PTO/SB31) <input type="checkbox"/> Drawings <input type="checkbox"/> Supplemental Information Disclosure Statement <input type="checkbox"/> PTO-SB08 Form <input type="checkbox"/> Citations <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Postcard for Return | Extension of Time <input type="checkbox"/> Applicant petitions for an extension of time under 37 C.F.R. 1.136 <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">Extension (Months)</th> <th colspan="2" style="text-align: center;">Extension Fee</th> </tr> <tr> <th></th> <th style="text-align: center;">Large Entity</th> <th style="text-align: center;">Small Entity</th> </tr> <tr> <td><input type="checkbox"/> One Month</td> <td style="text-align: center;">\$130.00</td> <td style="text-align: center;">\$65.00</td> </tr> <tr> <td><input type="checkbox"/> Two Months</td> <td style="text-align: center;">\$490.00</td> <td style="text-align: center;">\$245.00</td> </tr> <tr> <td><input type="checkbox"/> Three Months</td> <td style="text-align: center;">\$1,110.00</td> <td style="text-align: center;">\$555.00</td> </tr> <tr> <td colspan="3" style="text-align: center;">Total \$ 0.00</td> </tr> </table> <input checked="" type="checkbox"/> Applicant believes that no extension of term is required. However, this conditional petition is being made in case applicant has inadvertently overlooked the need for a petition for extension of time. | Extension (Months) | Extension Fee | | | Large Entity | Small Entity | <input type="checkbox"/> One Month | \$130.00 | \$65.00 | <input type="checkbox"/> Two Months | \$490.00 | \$245.00 | <input type="checkbox"/> Three Months | \$1,110.00 | \$555.00 | Total \$ 0.00 | | |
|---|---|--------------------|---------------|--|--|--------------|--------------|------------------------------------|----------|---------|-------------------------------------|----------|----------|---------------------------------------|------------|----------|----------------------|--|--|
| Extension (Months) | Extension Fee | | | | | | | | | | | | | | | | | | |
| | Large Entity | Small Entity | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> One Month | \$130.00 | \$65.00 | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Two Months | \$490.00 | \$245.00 | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Three Months | \$1,110.00 | \$555.00 | | | | | | | | | | | | | | | | | |
| Total \$ 0.00 | | | | | | | | | | | | | | | | | | | |

| Fees for Extra Claims | | | | | | |
|---|----------------------------------|------------------------------------|--------------|--------------|--------------|----------------|
| | Claims remaining after amendment | Highest number previously paid for | Number Extra | Rate | | Additional Fee |
| | | | | Large Entity | Small Entity | |
| Total Claims | 28 | 30 | 0 | \$52.00 | \$26.00 | \$0.00 |
| Independent Claims | 5 | 5 | 0 | \$220.00 | \$110.00 | \$0.00 |
| Multiple Dependent Claims | | | 0 | \$390.00 | \$195.00 | \$0.00 |
| Supplemental Information Disclosure Statement | | | | | | |
| Total | | | | | | \$0.00 |

| | | | | | | | |
|---|-----------------|--------|----------------------|----------|--------------|-----------------|---|
| Fee Payment <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Extension Fee</td> <td style="width: 50%; text-align: right;">\$0.00</td> </tr> <tr> <td>Fee for Appeal Brief</td> <td style="text-align: right;">\$540.00</td> </tr> <tr> <td>Total</td> <td style="text-align: right;">\$540.00</td> </tr> </table> <input type="checkbox"/> Attached is check no. _____ in the sum of \$0.00. <input checked="" type="checkbox"/> Please charge Deposit Account No. 10-0258 in the sum of \$540.00 . <u>CERTIFICATE OF TRANSMISSION (37 C.F.R. § 1.8a)</u> I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450; facsimile transmitted to the U.S. Patent Office at (571) 263-8300; or electronically filed via EFS on the date shown below: By: <u>Melanie Hitchcock</u> Date: <u>May 13, 2009</u> Melanie Hitchcock | Extension Fee | \$0.00 | Fee for Appeal Brief | \$540.00 | Total | \$540.00 | Fee Deficiency <input checked="" type="checkbox"/> If any additional extension and/or fee is required, please charge Deposit Account No. 10-0258. and/or <input checked="" type="checkbox"/> If any additional fee for claims is required, please charge Deposit Account No. 10-0258. Please direct telephone calls to: Guy V. Tucker at (415) 538-1555 Please send correspondence to: Guy V. Tucker Janah & Associates, PC 650 Delancey Street, Suite 106 San Francisco, CA 94107 Respectfully Submitted, <div style="text-align: center;">  By: <u>Guy V. Tucker</u> Date: <u>May 13, 2009</u> Registration No. 45,302 </div> |
| Extension Fee | \$0.00 | | | | | | |
| Fee for Appeal Brief | \$540.00 | | | | | | |
| Total | \$540.00 | | | | | | |